

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE APPLICATION OF:

SAVERIO CARL FALCO ET AL.

CASE NO: BB1037 US CNT

FILED: CONCURRENTLY HEREWITH

EXAMINER: UNKNOWN

APPLICATION NO.: UNKNOWN

GROUP ART UNIT: UNKNOWN

PARENT APPLICATION NO.: 09/049204

PARENT APPLICATION FILED: MARCH 27, 1998

FOR: CHIMERIC GENES AND MEHTODS FOR  
INCREASING THE LYSINE CONTENT OF THE  
SEEDS OF PLANTS

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In compliance with 37 CFR 1.97 and 1.98, Applicant bring to the attention of the U.S. Patent and Trademark Office information listed on the enclosed PTO-1449 and PTO892 forms from the parent application. Copies of the references can be found in the parent case 09/049304 filed March 27, 1998 and are not enclosed.

Benefit of the earlier filing date of U.S. Patent Application No. 09/049304, filed March 27, 1998 is claimed under 35 USC 120 for the above-referenced application.

Should any fee be required in connection with the filing of this Information Disclosure Statement, please charge such fee to Deposit Account No. 04-1928 (E. I. du Pont de Nemours and Company).

Respectfully submitted,



LYNNE M. CHRISTENBURY  
Attorney for Applicants  
Registration No. 30971  
Telephone: 302-992-5481  
Facsimile: 302-892-1026

Dated: March 19, 2004

Form PTO-1449  
(Reproduced)**INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION***(Use several sheets if necessary)*

Docket Number (Optional)

**BB-1037-E**

Application Number

**UNKNOWN**

Applicant

**FALCO ET AL.**

Filing Date

**CONCURRENTLY  
HEREWITH**

Group Art Unit

**UNKNOWN****U. S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

**FOREIGN PATENT DOCUMENTS**

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
						YES	NO
	95/15392	08/08/95	WO	C12N	15/82		

**OTHER DOCUMENTS** *(Including Author, Title, Date, Pertinent Pages, Etc.)*


EXAMINER

DATE CONSIDERED

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Form PTO-1449  
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PATENT AND TRADEMARK OFFICE

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BB-1037

SERIAL NO.

07/855,414

## INFORMATION DISCLOSURE STATEMENT

BY APPLICANT

(Use several sheets if necessary)

APPLICANT

S. C. FALCO

FILING DATE

MARCH 19, 1992

GROUP

1804

## U. S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE

## FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		Mertz, Science, 145, 279 (1964)
		Nelson, Science, 150, 1469-70 (1965)
		Deutscher, Adv. Exp. Medicine and Biology, 105, 281-300 (1978)
		Vasal, et al., Proceedings of the 3rd Seed Protein Symposium, Gatersleben (Aug 31-Sept 2, 1983)
		Altenbach, et al., Plant Mol. Biol. 8:239-250 (1987)
		Altenbach, et al., Plant Mol. Biol. 13:513-522 (1989)
		Giovanelli, et al., Plant Physiol. 90:1584-1599 (1989)
		Glassman, et al., PCT Patent Appln PCT/US89/01309 (1989)
		Galili, et al., Abstr. 422 from Third Int'l Cong. of Int. Soc. Plant Mol. Biol. (1991)
		Richard, et al., J. Bacteriology 166:297-300 (1986)
		Bonnassie, et al., Nucleic Acids Research 18:6421 (1990)
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PATENT AND TRADEMARK OFFICE

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		Arruda, et al., <u>Plant Physiol.</u> 76:442-446 (1984)
		Hibbard, et al., <u>Planta</u> 148:183-187 (1980)
		Diedrich, et al., <u>Theor. Appl. Genet.</u> 79:209-215 (1990)
		Dotson, et al., <u>Planta</u> 182:546-552 (1990)
		Frankard, et al., <u>Theor. Appl. Genet.</u> 82:273-282 (1991)
		Wilson, et al., <u>Plant Physiol.</u> 97:1323-1328 (1991)
		Kaneko, et al., <u>J. Biol. Chem.</u> 265:17451-17455 (1990)
		Frisch, et al., <u>Mol. Gen. Genet.</u> 228:287-293 (1991)
		Cassan, et al., <u>J. Biol. Chem.</u> 261:1052-1057 (1986)
		Negrutui, et al., <u>Theor. Appl. Genet.</u> 68:11-20 (1984)
		Theze, et al., <u>J. Bacteriol.</u> 117:133-143 (1974)
		Shaul, et al., <u>The Plant Journal</u> 2(2):203-209 (1992)
		Giovanelli, et al., <u>Plant Physiol</u> 90:1577-1583 (1989)

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PATENT AND TRADEMARK OFFICE

1-11-1961

SERIAL NO.  
07/85

**APPLICANT:**

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**FILING DATE**

March 9, 1992

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(Use several sheets if necessary)

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FORM PTO-892 (REV. 3-78)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		SERIAL NO. <div style="font-size: 1.2em; font-family: cursive;">855,414</div>	GROUP ART UNIT <div style="font-size: 1.2em; font-family: cursive;">1804</div>	ATTACHMENT TO PAPER NUMBER <div style="font-size: 1.5em; font-family: cursive;">5</div>			
NOTICE OF REFERENCES CITED				APPLICANT(S) <div style="font-size: 1.2em; font-family: cursive;">Falco, S.C.</div>					
U.S. PATENT DOCUMENTS									
•		DOCUMENT NO.	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE		
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	M								
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	Q								
OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)									
•	R	Doyle, J. S. et al. (1986) J. Biol. Chem 261: 9228-9236							
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	T								
	U								
EXAMINER				DATE					
McElwain				7-28-92					

**INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION**  
(Use several sheets if necessary)Docket Number (Optional)  
**BB-1037-B**Application Number  
**08/178,212**Applicant  
**FALCO ET AL**Filing Date  
**1-6-94**Group Art Unit  
**1803****U. S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	<b>5,367,110</b>	<b>11-22-94</b>	<b>GALILI ET AL</b>	<b>800</b>	<b>205</b>	

**FOREIGN PATENT DOCUMENTS**

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
						YES	NO

**OTHER DOCUMENTS** (Including Author, Title, Date, Pertinent Pages, Etc.)


EXAMINER	DATE CONSIDERED

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Form PTO-1449  
(Reproduced)**INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION**  
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Docket Number (Optional)

**BB-1037-B**

Application Number

**08/178,212**

Applicant

**FALCO, ET AL**

Filing Date

**1-6-94**

Group Art Unit

**1804****U. S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

**FOREIGN PATENT DOCUMENTS**

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION - YES	NO
<b>WO 89/11789</b>	<b>12-14-89</b>	<b>PCT</b>	<b>A01H</b>	<b>1/00</b>		
<b>91/119328.2</b>		<b>EPO</b>			<b>X</b>	
<b>0 485 970</b>	<b>11-13-91</b>	<b>EPO</b>	<b>C12N</b>	<b>15/82</b>		
<b>0 435 132</b>	<b>7-3-91</b>	<b>EPO</b>	<b>C12N</b>	<b>15/09</b>		

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

	Mertz, E., <i>Science</i> , 145, 279-280, 1964.
	Nelson, <i>Science</i> , 150, 1469-1470, 1965.
	Deutscher, D. <i>Adv. Exp. Medicine and Biology</i> , 105, 281-300, 1978.
	Vasal, S.K., et al., Proceedings of the 3rd Seed Protecinn Symposium, Gatersleben, August 31-Sept. 2, 1983.
	Giovanelli, J. et al, <i>Plant Physiol</i> , 90, 1584-1599, 1989.
	Shaul, O. et al, <i>Plant Journal</i> , 2, 203-209, 1992.

EXAMINER

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IN AN APPLICATION**  
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Docket Number (Optional)

**BB-1037-B**

Application Number

**08/178,212**

Applicant

**FALCO, ET AL**

Filing Date

**1-6-94**

Group Art Unit

**1804****U. S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

**FOREIGN PATENT DOCUMENTS**

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES	NO

**OTHER DOCUMENTS** (Including Author, Title, Date, Pertinent Pages, Etc.)

	Altenbach, et al, <i>Plant Mol. Biol.</i> , 8, 239-250, 1987.
	Altenbach, et al, <i>Plant Mol. Biol.</i> , 13, 513-522, 1989.
	Glassman, et al, PCT Patent Application PCT/US89/01309, 1989.
	Galili, et al, Abstr. 422 from <i>Third Int'l Cong. of Int. Soc. Plant Mol. Biol.</i> , 1991.
	Richard, et al, <i>J. Bacteriology</i> , 166, 297-300, 1986.
	Bonnassie, et al, <i>Nucleic Acids Research</i> , 18, 6421, 1990.

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Form PTO-1449 (Reproduced)	Doclet Number (Optional) <b>BB-1037-B</b>	Application Number <b>08/178,212</b>
<b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b> <i>(Use several sheets if necessary)</i>		
Applicant <b>FALCO, ET AL</b>		Filing Date <b>1-6-94</b>
Group Art Unit <b>1804</b>		

**U. S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

**FOREIGN PATENT DOCUMENTS**

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION	
					YES	NO

**OTHER DOCUMENTS** *(Including Author, Title, Date, Pertinent Pages, Etc.)*

	Kaneko, et al, <i>J. Biol. Chem.</i> , 265, 17451-17455, 1990.
	Frisch, et al, <i>Mol. Gen. Genet.</i> , 228, 287-293, 1991.
	Cassan, et al, <i>J. Biol. Chem.</i> , 261, 1052-1057, 1986.
	Negrutui et al, <i>Theor. Appl. Genet.</i> , 68, 11-20, 1984.
	Theze, et al, <i>J. Bacteriol.</i> , 117, 133-143, 1974.
	Giovanelli, et al, <i>Plant Physiol.</i> , 90, 1577-1583, 1989.

EXAMINER	DATE CONSIDERED
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FORM PTO-892  
(REV. 2-92)

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

SERIAL NO.  
08/178,712

GROUP/PART/UNIT  
1804

ATTACHMENT  
TO  
PAPER  
NUMBER

6

NOTICE OF REFERENCES CITED

APPLICANT(S)

Falco et al

U.S. PATENT DOCUMENTS

		DOCUMENT NO.	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
A		5024944	6-91	Collins et al	435	177.3	—
B		4886878	11-88	Larkin et al	536	2.6	—
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FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	NAME	CLASS	SUB-CLASS	PERTINENT SHTS. DWG.	PP. SPEC.
*	L	8911789	12-89	WO	Glassman				
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OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

*	R	Cassan et al (1986) J. Biol. Chem. 26(3): 1052-1057
*	S	Hertz (1964) Science 145: 279-280
*	T	Brochetto-Braga et al (1992) Plant Physiol 98: 1139-1147
	U	Guerche et al (1990) Mol Gen Genet 221: 306-314

EXAMINER

E McElwan

DATE

9-22-94

page 1 of 3

FORM PTO-892 (REV 2-92)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		SERIAL NO. 08178,212		GROUP ART UNIT 1804		ATTACHMENT TO PAPER NUMBER 6						
NOTICE OF REFERENCES CITED				APPLICANT(S) Falco et al										
U.S. PATENT DOCUMENTS														
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OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)														
R		Jacobs et al (1985) Nature 313: 806-810												
S		Pedersen et al (1986) J Biol Chem 261 (14): 6279-6284												
T		Leonard et al (1984) Nature 311: 626-631												
U		Matsuda et al (1987) J Biol Chem 262 (21): 10035-10038												
EXAMINER								DATE						
S McElwain								9-22-94		Page 2 of 3				

## NOTICE OF REFERENCES CITED

APPLICANT(S)

Falco et al

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## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

R	Matzuda et al (1990) Methods in Enzymol. 182:602-613
S	Lewin (1987) Science 237:1570
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EXAMINER

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DATE

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page 3 of 3



Form PTO-1449  
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(Use several sheets if necessary)

Docket Number (Optional)

BB-1037-C

Application Number

**TO BE ASSIGNED**

Applicant

FALCO, ET AL

Filing Date

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UNKNOWN

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Docket Number (Optional)

BB-1037-C

Application Number

**TO BE ASSIGNED**

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Filing Date

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Group Art Unit

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	Altenbach, et al, <i>Plant Mol. Biol.</i> , 13, 513-522, 1989.
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Form PTO-1449 (Reproduced)  <b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b> <i>(Use several sheets if necessary)</i>	Docket Number (Optional) <b>BB-1037-C</b>	Application Number <b>TO BE ASSIGNED</b>
Applicant <b>FALCO, ET AL</b>		Group Art Unit <b>UNKNOWN</b>
Filing Date <b>HEREWITH</b>		

**U. S. PATENT DOCUMENTS**

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**FOREIGN PATENT DOCUMENTS**

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION	
						YES	NO

**OTHER DOCUMENTS** *(Including Author, Title, Date, Pertinent Pages, Etc.)*

	Arruda, et al, <i>Plant Physiol.</i> , 76, 442-446, 1984.
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449  
(Reproduced)**INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION**  
(Use several sheets if necessary)Docket Number (Optional)  
**BB-1037-C**Application Number  
**TO BE ASSIGNED**Applicant  
**FALCO, ET AL**Filing Date  
**HEREWITH**Group Art Unit  
**UNKNOWN****U. S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

**FOREIGN PATENT DOCUMENTS**

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
						YES	NO

**OTHER DOCUMENTS** (Including Author, Title, Date, Pertinent Pages, Etc.)

	Kaneko, et al, <i>J. Biol. Chem.</i> , 265, 17451-17455, 1990.
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18-3

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NOTICE OF REFERENCES CITED

APPLICANT(S)

Fairco et al

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		DOCUMENT NO.	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE
*	A	5367110	11-27-94	Gardner	900	205	11-13-91
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*	L	8911789	14-12-89	WO	Glassman				
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	Q								

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EXAMINER

S. H. S. W. N.

DATE

1-16-97

Form PTO-1449 (Reproduced)				Docket Number (Optional) <b>BB-1037-F</b>		Application Number <b>09/049,304</b>	
<b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b> <i>(Use several sheets if necessary)</i>				Applicant <b>FALCO ET AL.</b>			
				Filing Date <b>MARCH 27, 1998</b>		Group Art Unit <b>1649</b>	
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EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
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	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
						YES	NO
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